

22397

SOS APA Form 001

Mississippi Secretary of State  
125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME <b>MS Fire Personnel MSCB</b>		CONTACT PERSON Mark Lampton, Spec. Asst. Att. Gen.		TELEPHONE NUMBER (601)359-2780	
ADDRESS P.O. Box 79		CITY Jackson		STATE MS	ZIP 39205
EMAIL mark.lampton@mid.ms.gov	SUBMIT DATE 11/15/16	Name or number of rule(s): Miss. Admin. Code, Title 19, Part 101, Chapter 1 (Rules and Regulations for Minimum Standards Certification (MSCB-1))			

**Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal:** Rule 1.08 is being amended to specify what course certifications will be issued by the Mississippi Fire Personnel Minimum Standards and Certifications Board. Other amendments are stylistic only, and include updated source citations.

**Specific legal authority authorizing the promulgation of rule:** Miss. Code § 45-11-253 (Rev. 2015).

**List all rules repealed, amended, or suspended by the proposed rule:** Miss. Admin. Code, Title 19, Part 101, Chapter 1.

**ORAL PROCEEDING:**

☐ An oral proceeding is scheduled for this rule on Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

☒ Presently, an oral proceeding is not scheduled on this rule.


If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

**ECONOMIC IMPACT STATEMENT:**

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	<b>Action proposed:</b> _____ New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed final effective date:</b> _____ 30 days after filing <input checked="" type="checkbox"/> Other (specify): <u>February 1, 2017</u>	<b>Date Proposed Rule Filed:</b> _____ <b>Action taken:</b> _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Mark Lampton, Spec. Asst. Att. Gen.

Signature of person authorized to file rules: /s/ Mark Lampton 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <u>#22397</u> 	<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMAN  
*Secretary of State*

## CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

**An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.**

AGENCY NAME Mississippi Insurance Department	CONTACT PERSON Mark Lampton, Spec. Asst. Att. Gen.	TELEPHONE NUMBER (601)359-2780	
ADDRESS P.O. Box 79	CITY Jackson	STATE MS	ZIP 39205
EMAIL mark.lampton@mid.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Miss. Admin. Code, Title 19, Part 101, Chapter 1 (Rules and Regulations for Minimum Standards Certification (MSCB-1))		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code § 45-11-253 (Rev. 2015)		Reference to Rules repealed, amended or suspended by the Proposed Rule: Miss. Admin. Code, Title 19, Part 101, Chapter 1	

### A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit: The Amendments proposed specify and clarify what NFPA courses the Mississippi Fire Personnel Minimum Standards and Certification Board (MSCB) will certify as meeting the minimum educational and training standards for fire personnel in the State of Mississippi. The benefit to the consumer and the MSCB will be clarification of the duties of the MSCB and the requirements for certification.
2. Briefly describe the need for the proposed rule: The amendment is needed to clarify ambiguities.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare: The Amendment of the rules will result in streamlining of the process for certifying Fire Personnel as meeting the required minimum standards.
4. Estimated Cost of implementing proposed action:
  - a. To the agency  
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
  - b. To other state or local government entities  
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
  - c. Cost:  
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
  - d. Economic Benefit:  
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

6. Estimated impact on small businesses:

☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

a. Estimate of the number of small businesses subject to the proposed regulation:

There are approximately 119 (career or career mixed with volunteers) fire departments in Mississippi employing approximately 3,300 full time / career firefighters who must be certified as meeting the minimum standards.

b. Projected costs for small businesses to comply:

The amendments to the regulations will not result in any new or additional cost to the fire departments or the fire-fighters.

c. Statement of probable effect on impacted small businesses:

There should be no effect on impacted fire departments. The effect of the rule is limited to clarifying how the board will operate in performing its duty of minimum standards certification.

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than  
☒ the same as ☐ minimally more than ☐ moderately more than  
☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than  
☐ the same as ☐ minimally more than ☒ moderately more than  
☐ substantially more than ☐ excessively more than

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B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

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C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form: The numbers regarding fire departments and career fire-fighters in Mississippi are maintained by the Mississippi State Fire Services Director. The amendments to the rules impose no new or additional financial responsibility on anyone.


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D. Public Notice

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1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled? A person may send comments, suggestions, and a request for an oral proceeding to:

Mississippi Insurance Dept.  
Attn: Mark Lampton, Special Asst. Att. Gen.  
P.O. Box 79  
Jackson, MS 39205-0079  
or via email at: [mark.lampton@mid.ms.gov](mailto:mark.lampton@mid.ms.gov)

SIGNATURE <i>/s/ Mark Lampton</i> 	TITLE Special Assistant Attorney General
DATE November 15, 2016	PROPOSED EFFECTIVE DATE OF RULE February 1, 2017